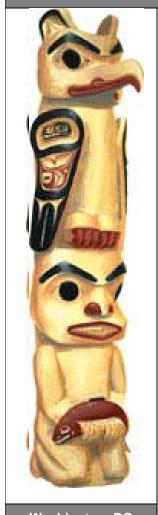
HOBBS, STRAUS, DEAN, & WALKER, LLP



Washington, DC
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Oklahoma City, OK
Sacramento, CA
Seattle, WA

Climate Change in the Northwest May 2008

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Carbon Dioxide and Methane concentrations & temperature rise

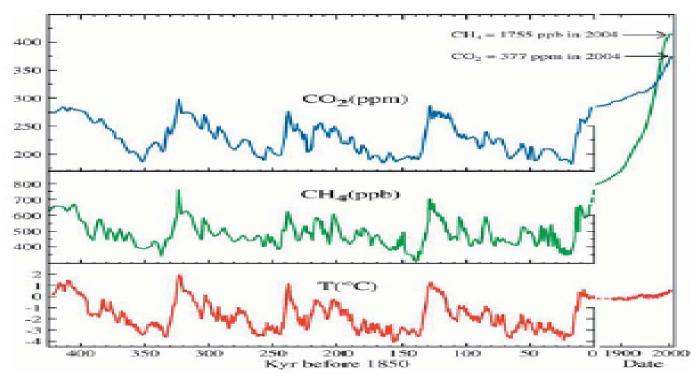


Figure 2. Paleoclimatic data from ice cores. Note the unprecedented recent increases in carbon dioxide and methane. The temperature, though increasing, has not yet reached record levels but will likely do so by midcentury. (Source: Hansen, Clim. Change, 68, 269, 2005.)

Source: ASES, Tackling Climate Change



The Big Picture

U.S. GHG Emissions by Gas – 2004

Carbon Dioxide 83%

Methane9%

Nitrous Oxide5%

- Other 2%

Source: Pew Center

from EPA Inventory of GHG Emissions

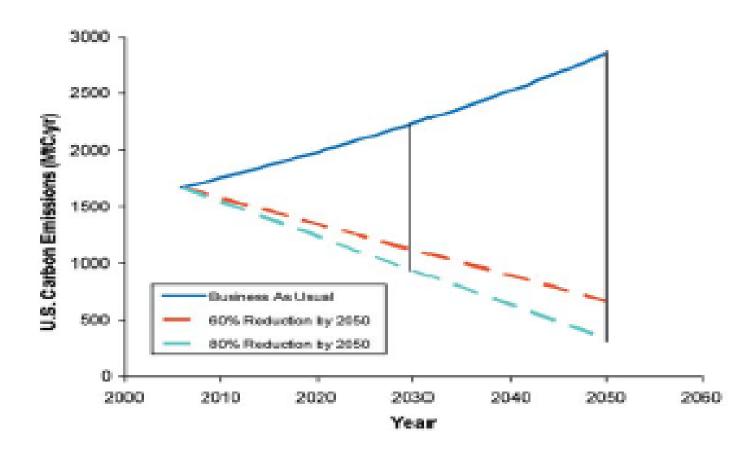


The Big Picture

- Target Atmospheric CO₂:
 Where Should Humanity Aim?
 James Hansen, et al (2008)
- 350 ppm should be the target
- Current concentration is 385 ppm
- IPPC has set target at 450 ppm www.columbia.edu/~jeh1/2008/TargetCO2 _20080317.pdf

The 2030 Blueprint, Architecture 2030

Reducing U.S. CO2 Emissions by 60% to 80% by 2050

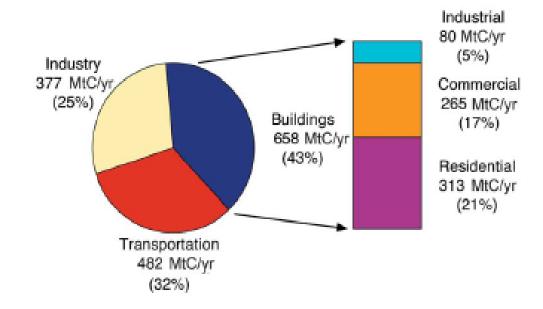


Source: ASES, Tackling Climate Change



Reducing CO₂ Emissions through Renewable Energy and Efficiency

The Big Picture of C0₂ Emissions



Source: ASES, Tackling Climate Change in the U.S.

CO₂ reductions from energy efficiency and renewable energy

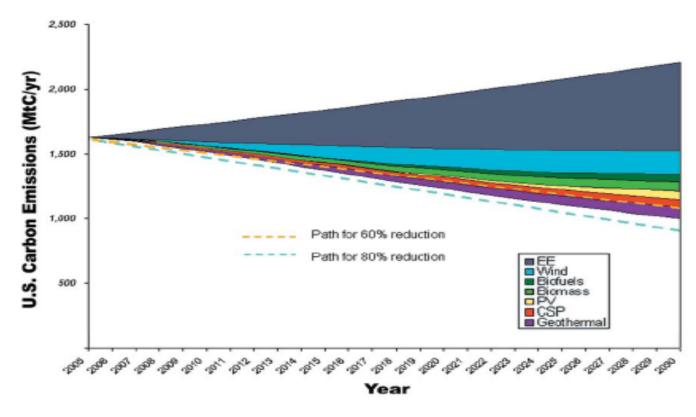


Figure 26. Potential carbon reductions in 2030 from energy efficiency and renewable technologies and paths to achieve reductions of 60% and 80% below today's emissions value by 2050.

Source: ASES, Tackling Climate Change



CO₂ reductions from energy efficiency and renewable energy

To reach 70% reduction by 2050

Million Metric Tons/Year

 Energy Efficiency 	688
 Concentrating Solar Power 	63
Photovoltaics	63
Wind	181
Biofuels	58
Biomass	75
Geothermal	83



Cost of Carbon Reductions

- Investments needed to achieve ASES projection for GHG reductions
 - Energy efficiency saves \$108 billion/year
 - Wind costs zero (it breaks even)
 - Other renewable energy systems would cost about \$30 billion/year
 - = Net savings of \$80 billion per year

Source: Solar Today, March/April 2008



Buildings

- Each home's contribution to global warming is slight, but added up, accounts for about 20% of greenhouse gas emissions in the United States.
- If you add in commercial and industrial buildings, that is nearly half the GHG emissions in the U.S.
- good news -- we know how to build homes and other buildings so that they use very little energy
- passive solar design techniques such as heating, ventilation, daylighting and shading.
- Carbon neutral buildings not only would all new buildings not consume fossil fuels for heating and cooling, they would get their electricity from renewable sources.
- The basic regulatory tool is a building code. Since about 1992, the federal government has had a program to help states and local governments incorporate energy efficiency requirements into their building codes.



U.S. National Policy Existing Laws

1992 Title 26
Energy Policy Act of 2005
Energy Independence & Security Act, 2007

Washington, DC
Portland, OR
Oklahoma City, OK
Sacramento, CA
Seattle, WA



Energy Policy Act of 1992 Title 26

- Authorized \$120 million in grants and low interest loans from Dept. of Energy to tribes for development of energy resource.
- Theme was "vertical integration".
- Created Indian Energy Resource Commission at DOI.
- Tribal Gov't Energy Assistance Program to "encourage the adoption of energy efficiency and renewable energy projects on Indian reservations" with "such sums as necessary" appropriations.



Energy Policy Act 2005

- DOE Indian energy program. \$20 million 2006-2016.
- Includes energy efficiency and energy conservation.
- Includes carbon sequestration program.
- DOI grants for tribal energy resource regulation, tribal laws, energy inventories, and feasibility.
- Wind energy for firming power to WAPA.
- Energy Efficiency in federal housing thru HUD and EE technology, shared savings contracts.
- Amends NAHASDA to include goal of greater EE.
- not comparable to the federal programs for writing energy efficiency into building codes.



2005 EPACT

- Funding for states who achieve and document a 90 percent rate of compliance with building codes that meet or exceed the 2004 edition of the accepted standards for residential and commercial buildings.
- \$25 million per year, including \$500,000 for training state and local gov't officials.
- No funding for tribes.



- Tribal Energy Efficiency and Conservation Block Grants
- 2% statutory set-aside for tribes in **Section 543.**
- If Congress fully funds the tribal block grant program, there would be \$40 million in grant funds available each year for tribes.
- Should the Department decide to divide that funding equally among all federally recognized tribes, each tribe would receive approximately \$70,000 annually.



- technical assistance;
- residential and commercial energy audits;
- financial incentives for energy efficiency improvements;
- energy efficiency and conservation programs for buildings and facilities;
- building codes and inspection services;
- conservation programs, including source reduction and recycling;
- capture and use of greenhouse gases;
- installing renewable electric power systems (solar, wind, fuel cells, biomass) at tribal buildings.



- Biofuel Research and Production Grants –
 Section 223 grants include Tribal colleges and
 tribal government agencies. \$25 million in each of
 fiscal years 2008, 2009, and 2010.
- Grants to Tribal College and Universities –
 Section 230 directs the Energy Department to
 make grants for research on the production of
 cellulosic ethanol which unlike corn or wheatbased ethanol is produced from a wide range of
 resources including wood chips and grasses.
 Tribal colleges and universities are expressly
 eligible. Total of 10 grant awardees.



- Manufactured Housing sec. 413 increases energy efficiency requirements.
- Residential buildings (other than manufactured housing) generally subject to building codes adopted by states or local governments. Federal government provides assistance and incentives to states and local governments to update building codes to enhance requirements for energy efficiency. 42 U.S.C. § 6833.
- Overlooks principle that tribal governments are the law-making authority for trust lands within reservations – local government building codes do not apply.



- Title IV -- Energy Savings in Buildings and Industry
- Does not include tribal governments.
- Section 494 creates Green Building Advisory Committee which includes representation of state and local government green building programs, but no tribal representation.



Lieberman-Warner

- The subject of building codes for residential buildings is not addressed in EISA, but it is addressed in S. 2191, America's Climate Security Act.
- Section 5201 of ACSA would provide assistance and incentives for states and local governments, but not tribes, to meet the 2006 edition of the International Code Council's residential energy code, a code that was developed for adoption by local governments and which requires some reworking of its administrative provisions to fit tribal governments.
- \$25 million a year.



Western Regional Climate Action Initiative

- Agreement signed Feb. 2007 by Governors of Washington, Arizona, Oregon, New Mexico and California
- Components
 - Set an overall regional goal for reductions
 - Develop a design for a market-based, multisector mechanism to achieve the goal (a cap and trade program)
 - Participate in a regional GHG registry

www.westernclimateinitiative.org

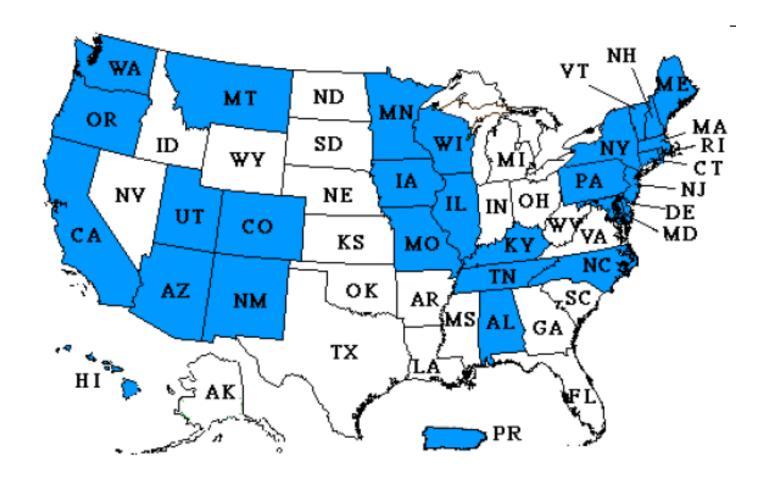


State Programs

- 25 States have action plans
- EPA suggests create a task force, then
 - Develop a greenhouse gas inventory
 - Project future emissions based on population, economic growth, and other factors
 - Identify areas where emissions can be reduced
 - Develop a voluntary greenhouse gas emission reduction goal

www.epa.gov/climatechange

State Programs



Action Plans Completed

Alabama



Cities & Local Governments

 International Council for Local Environmental Initiatives – Local Government for Sustainability Cities for Climate Protection

www.iclei.org

Five Milestones

- 1. Baseline inventory and forecast
- 2. Reduction target for forecast year
- 3. Develop local action plan
- 4. Implement policies and measures
- 5. Monitor and verify results



U.S. Mayors Climate Action Handbook

- Local Governments have power over major sources of CO₂ emissions –
 - Energy use
 - Transportation
 - Waste
- Cities exercise control through
 - Land use and zoning
 - Building codes
 - Infrastructure investments
 - Municipal service delivery
 - Management of schools, parks, recreation areas



www.coolmayors.com

- Model Ordinances
 - Land Use / Transportation
 - Commute Trip Reduction
 - Green Vehicle Fleets
 - Pedestrian / Bicycle Planning
 - Green Power
 - Energy Efficiency
 - Procurement
 - Green Buildings
 - Urban Forestry
 - Recycling and Waste Reduction



www.coolmayors.com

Green Buildings

 Building Codes Assistance Project (for State and Local Agencies) www.bcap-energy.org

Washington, DC
Portland, OR
Oklahoma City, OK
Sacramento, CA
Seattle, WA



Energy Efficiency in Buildings

- Department of Energy
 Building Energy Codes Program
 - Free software and technical support for states and local governments
- U.S. Green Building Council
 - LEED Initiatives in Governments and Schools
- Architecture 2030



U.S. Green Building Council www.usgbc.org

LEED® Initiatives in Governments and Schools

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Updated: 02/01/08

Various LEED initiatives including legislation, executive orders, resolutions, ordinances, policies, and incentives are found in 75 cities, 23 counties, 17 towns, 27 states, 12 federal agencies, 10 public school jurisdictions and 36 institutions of higher education across the United States.

Washington, DC
Portland, OR
Oklahoma City, OK
Sacramento, CA
Seattle, WA

Please keep us up to date: <u>publicpolicies@usgbc.org</u>

See www.usgbc.org > Resources > Government for the most current list.



U.S. Department of Energy Building Energy Codes Program



Building Energy Codes Program





DOE's Building Energy Codes Program is an information resource on nationa model energy codes. We work with other government agencies, state and logiurisdictions, national code organizations, and industry to promote stronger building energy codes and help states adopt, implement, and enforce those

codes.

The Program recognizes that energy codes maximize energy efficiency only when they are fully embraced by users and supported through education, implementation, and enforceme

Free Software



REScheck

REScheck, REScheck-Web, REScheck Package Generator



COMcheck

COMcheck, COMcheck-Web, COMcheck Package Generator

Technical Support



Resource Center

Resource Center



Ask an Energy Codes Expert

Ask an Expert

<u>www.energycodes.gov</u> – S 2191, section 5201